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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/791,245	03/02/2004	Sean Patrick McCarthy	18095 (AT 20958-1034)	3616

7590 05/20/2005

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EXAMINER

NGUYEN, PHUONGCHI T

ART UNIT PAPER NUMBER

2833

DATE MAILED: 05/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/791,245

Applicant(s)

MCCARTHY ET AL.

Examiner

Phuongchi Nguyen

Art Unit

2833

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) 3, 8, 9 and 12 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 4, 5, 10, 11, 13, 14 and 18-20 is/are rejected.
- 7) ☒ Claim(s) 5, 6, 15, 16, 21 and 22 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 February 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

**DETAILED ACTION**

1. Applicant's amendment of February 3, 2005 is acknowledged. It is noted that the specification and claims 1, 10 and 18 are amended. The formal drawings of February 3, 2005 have been approved.
2. Applicant's election with traverse of November 3, 2004 in the reply filed on February 03, 2004 is acknowledged. The traversal is on the ground(s) that "species I and II are clearly related and would not place a burden on the examiner. Additionally, requirements for election are not mandatory under 35 USC 121". This is not found persuasive because Species I (figures 5-13) and Species II (figure 14-16) are not related. Species I comprises a primary shield 262+266 integral to the secondary shield 276, folded over the cable and hinged to a strain relief crimp 274 (page 9, [0042], lines 1-10); Species II is different from Species I. Species II comprises a primary shield 510 connected to a secondary shield 504 at the contact point 513 (page 15, [0065], 4-5). Species I and Species II are two different inventions. Therefore, the restriction requirement is necessary.

The requirement is still deemed proper and is therefore made **FINAL**.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-2, 4-5, 10-11, 13-14 and 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Inoue et al (US5232380) in view of Peloza (US6065998).

Art Unit: 2833

In regarding to claim 1, Inoue et al discloses (figures 1, 2, 3 and 6) a cable connector assembly comprising a cable (10) comprising a conductive braid (4); and a primary shield (32A+30+32B) coupled to the cable (10) and in electrical contact with the conductive braid (4) (column 5, lines 37-39), the primary shield (32A+30+32B) defining a three sided enclosure (forming by 32A+30+32B) surrounding the cable (10), and a secondary shield (34+34) defining at least a portion of a fourth side (top side) of the enclosure (forming by 32A+30+32B); the secondary shield (34+34) contacting the cable braid (4), thereby providing a low impedance path between the primary shield (32A+30+32B) and the cable braid (4). Inoue et al discloses the invention, but lacks a coaxial cable connector. However, Pelozo teaches a coaxial cable connector having a shield (32) with a primary shield (36) and secondary shield (adjacent 38) (figure 2). It would have been obvious to one having ordinary skill at the time the invention was made by providing a coaxial cable connector as taught by Pelozo on the cable connector of Inoue et al for shielding each cable connector member.

In regarding to claim 2, Inoue et al discloses (figures 1 and 6) the cable connector assembly wherein the primary shield (32A+30+32B) comprises opposite side walls (32A, 32B) and a connecting wall (30) extending between the side walls (32A, 32B), a portion (of 32A) (figure 6) of at least one of the side walls (32A, 32B) folded over a (top) side of the cable (10) opposite the connecting wall (30) to form the secondary shield (34+34).

In regarding to claims 4 and 5, Inoue et al discloses (figures 1 and 6) the cable connector assembly wherein the primary shield (32A+30+32B) includes opposite side walls (32A, 32B), at least one of the side walls/each (32A, 32B) comprising a secondary shield flap (of 32A) (figure 6) configured for shielding the cable (10) along the fourth side (top side) of the enclosure (forming by 32A+30+32B).

Art Unit: 2833

In regarding to claim 10, Inoue et al further discloses a plug assembly (21) configured for mating engagement with the receptacle assembly, each of the plug assembly (21) and the receptacle assembly (mating connector) configured to receive and connect a cable (10) thereto.

Claims 11, 13 and 14 are rejected for the same reason of claims 2, 4 and 5, respectively.

In regarding to claim 18, Inoue et al further discloses a contact (7) configured for connection to a respective cable (3 of 10), a dielectric (21) configured to receive the contact (7) and a portion (tip end of 3) of the respective cable (10) (figure 1).

Claims 19 and 20 are rejected for the same reason of claims 4 and 5, respectively.

5. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Inoue et al (US5232380) in view of Peloza (US6065998), applied as claim 10 above, and further in view of Aoyama et al (US5924887).

Inoue et al discloses the invention, but lacks a cable displacement (CCD) section. However, Aoyama et al teaches (figures 1 and 3) the primary shield (18+19+18) comprises a cable displacement (CCD) section (20) adjoining the side walls (18, 18). It would have been obvious to one having ordinary skill at the time the invention was made to modify the primary shield of Inoue et al by connecting a cable displacement (CCD) section as taught by Aoyama et al to grip the cable tightly with the primary and secondary shields.

***Allowable Subject Matter***

6. Claims 6-7, 15-16 and 21-22 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims as stated in the previous office action..

*Responses to Arguments*

7. Applicant argues, "...Inoue col. 5, lines 23-29 that the cable braid 4 is removed from the portion of the shielding wire 10 which is contacting in the portion 34 of the shield cover 20. The element 34 of Inoue et al therefore clearly do not satisfy the recited secondary shields as they do not contact the cable braid, and consequently are incapable of providing a low impedance path as claims 1, 10 and 18 now recite". This is not deemed persuasive.

Inoue col. 5, lines 37-39 and as seen in figure 4, the tooth portion 35A-1, 35B-1 on the front portion side are fixed (directly) under pressure to the braid shield 4. The tooth portion 35A-1 and 35B-1 are extended portions of the shield cover 20. As long as the tooth portion 35A-1, 35B-1 are electrically contacted to the braid shield 4; the shield cover 20 must also be electrically contact the braid shield 4; and consequently are capable of providing a low impedance path as claims 1, 10 and 18 now recite.

8. Applicant argues "...Peloza col. 3, lines 43-47, the mounting flanges are not provided for shielding purposes and have no shielding function. It is therefore respectfully submitted that Peloza adds nothing to the teaching of Inoue et al with respect to the instant invention". This is not deemed persuasive. Examiner only applied Peloza for the teaching of a "coaxial" cable connector on the cable connector of Inoue et al, *but not for shielding purposes* and since the structure of the cable connector of Inoue et al is substantially the same as the claim limitation.

*Conclusion*

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

Art Unit: 2833

MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuongchi Nguyen whose telephone number is (571) 272-2012. The examiner can normally be reached on 8:00AM-4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula Bradley can be reached on (571) 272-2800 ext 33. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PCN

May 7, 2005

  
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